

## **Minutes of the Land Use, Parks and Environment Committee - May 16, 2006**

The meeting was called to order by Chair Mitchell at 8:30 a.m.

**Present:** Chair William Mitchell, County Board Supervisors Keith Hammitt, Keith Harenda (left at 10:45 a.m.), Walter Kolb, Vera Stroud and Peter Wolff; **Absent:** Pauline Jaske

**Staff Present:** Legislative Policy Advisor Mark Mader, Legis.Associate Sandra Meisenheimer

**Also Present:** Parks and Land Use Director Dale Shaver, Planning & Zoning Mgr. Dick Mace, Environmental Health Mgr. George Morris, Financial Analyst Josh Fudge

**Public Present:** Tony Zanon of Jahnke & Jahnke, Pat Doll of Muskego

### **Executive Committee Report by Bill Mitchell of the Last Meeting on 5/15/06**

Mitchell reviewed items that were discussed and/or considered at the meeting which took place yesterday (May 15).

### **Nomination and Election of Committee Vice-Chair and Secretary**

**Motion:** Harenda moved, second by P.Wolff, to nominate Walter Kolb as Vice-Chair of the committee. **Motion carried 6 – 0.**

**Motion:** Kolb moved, second by P.Wolff, to nominate Keith Harenda as Secretary of the committee. **Motion carried 6 – 0.**

### **Overview of Parks and Land Use Department Responsibilities and Activities**

Shaver stated that since he cannot be at the meeting later, he would give a brief overview of the department at this time. He stated that there are several divisions and over the years, as people have retired, some of the responsibilities have been consolidated. Their budget now is \$19 million in expenditures, \$13 million in revenues and a tax levy of \$6 million. There are about 96 full-time staff across the department and in the summertime they hire close to 300 seasonal people who mostly work in the parks. The number of seasonal help probably seems high but it is because the majority of them do not care to work 40 hours per week.

### **Consider Proposed Ordinance: 161-O-005 Waive Renegotiation of Existing Agreements Affecting the Onyx Emerald Park Landfill and the Onyx Emerald Park Landfill Western Horizontal Expansion**

Shaver explained the ordinance, which authorizes the county to waive its right to renegotiate the existing negotiated agreement with Onyx Emerald Park Landfill, LLC, who is seeking to expand its landfill facility in Muskego. Shaver distributed a map of the area and a handout entitled, "Summary of Existing Onyx Emerald Park Landfill Agreement (signed in 2000) Affected Municipality Benefits." Shaver stated that the Muskego landfill is in the southeast corner of Waukesha County. Across Highway 45 is the Franklin landfill which is called Metro Landfill. He said the green area on the map is the proposed expansion for the Muskego landfill. The crosshatched area on the map is where an existing and future landfill area will mesh together. He reviewed the following areas as listed on the handout: (1) Host fees/direct payments to affected municipalities, (2) Free disposal of waste for affected municipalities, (3) Household Hazardous Waste Program, (4) Property protection for residents surrounding the landfill, (5) Well testing for residents surrounding the landfill, (6) Remedy for well contamination, and (7) Sociological payment for residents surrounding the landfill.

**Motion:** Harenda moved, second by Kolb, to approve Ordinance 161-O-005. **Motion carried 6 – 0.**

**Consider Proposed Ordinance: 161-O-001: (*Art and Patricia Doll*) Town of Vernon, Sections 33 and 34. Part of the E ½ of Section 33 and the SW ¼ of Section 34, T5N, R19E, Town of Vernon. More specifically the property is located west of Center Drive and South of CTH “LO” in the area immediately west of the Reischl Lake Development. Request: Rezone from the AD-10 Agricultural Density-10, A-E Exclusive Agricultural Conservancy and C-1 Conservancy Districts to the A-3 Suburban Estate and the C-1 Conservancy Districts (SCZ-1607)**

Mace explained the location of this rezoning in the Town of Vernon. The proposed land is for a nineteen-lot subdivision. Mace stated that the area to the north along Highway L is all conservancy, and there are some additional wetlands that have been identified on site. Mitchell said there really are not any spot zoning issues here. Mace said he doesn’t think that changing density is necessarily a spot zoning issue. It is not a change in use but rather in lot size patterns. The Planning staff is recommending approval subject to 15 conditions as outlined in the ordinance.

**Motion:** Harenda moved, second by Kolb, to approve Ordinance 161-O-001. **Motion carried 6 – 0.**

**Consider Proposed Ordinance: 161-O-004: (*Robert and Judith Raymond*) Town of Delafield, Section 27. Part of NE ¼ of the SE ¼ of Section 27, T7N, R18E, Town of Delafield. More specifically the property is located at N6 W30058 Bryn Drive, Waukesha, WI.**

**Request: Clarification of condition of approval (from the April 6, 2006 Park & Planning Commission meeting) (ZT-1610)**

Mace explained the rezoning location in the Town of Delafield. The proposed land use is for the division of a twenty (20) acre property into three (3) parcels for residential use (two 3-acre parcels and one 14-acre lot). Mace said this is very hilly and very high. At one point up to the top of the hill, there is a 62’ drop. The Planning staff is recommending approval as conditioned by the Town.

**Motion:** Harenda moved, second by P. Wolff, to approve Ordinance 161-O-004. **Motion carried 6 – 0.**

**Consider Proposed Ordinance: 161-O-002: (*Text Amendment*) Town of Merton. Request: Text Amendment to repeal and recreate Section 17.60 and amend Section 17.64 of the Town of Merton Zoning Code (Chapter 17) relating to membership and voting authority of the Board of Adjustment (ZT-1609)**

Mace explained the text amendment for the Town of Merton which will revise the provisions of the Board of Adjustment to consist of five members and two alternates and to provide for changes in voting to rule on issues. This is in response to the recent changes in State legislation. The Planning staff is recommending approval.

**Motion:** P. Wolff moved, second by Harenda, to approve Ordinance 161-O-002. **Motion carried 6 – 0.**

**Consider Proposed Ordinance: 161-O-003: (*Text Amendment*) Town of Mukwonago.**

**Request: Text amendments to the Town of Mukwonago Zoning Code to repeal and recreate Section 3.18 regarding legal non-conforming uses, structures and lots and Section 3.15 regarding signs (ZT-1612)**

Mace said this text amendment mainly focuses on the non-conforming lot and use provisions for the Town of Mukwonago. The Planning staff is recommending approval.

**Motion:** Hammitt moved, second by Stroud, to approve Ordinance 161-O-003. **Motion carried 6 – 0.**

**Consider Proposed Resolution: 161-R-001: Amend the Regional Water Quality Management Plan for the Village of Sussex and Environs, Waukesha County, Wisconsin**

Mace reviewed the resolution. This involves adding 58 acres for additional sewer expansion capability tributary to the Sussex sewage treatment plant.

**Motion:** Harenda moved, second by Hammitt, to approve Resolution 161-R-001. **Motion carried 6 – 0.**

**Consider Proposed Resolution: 161-R-002: Amend the Regional Water Quality Management Plan for the Village of Mukwonago, Waukesha County, Wisconsin**

Mace explained the area proposed to be added to the Mukwonago sanitary sewer service area, which encompasses a total of 252 acres.

**Motion:** P.Wolff moved, second by Harenda, to approve Resolution 161-R-002. **Motion carried 6 – 0.**

**Overview of Parks and Land Use Department Responsibilities and Activities: (1) Planning and Zoning Division, and (2) Environmental Health Division**

Mace began with a power point review of the Planning/Zoning Division which consists of two areas: Zoning and Shoreland/Floodland Code and Development Review & Community Assistance. He explained the following areas that the division is responsible for: (1) Waukesha County Development Plan, (2) Subdivision and Certified Survey Map Reviews, (3) Community Assistance Services (Towns of Mukwonago, Vernon, Lisbon and Ottawa), (4) Zoning Code Administration, (5) Shoreland and Floodland Code, and (6) Board of Adjustment.

Harenda left the meeting at 10:45 a.m.

Morris continued with a power point review of the Environmental Health Division. He explained the following areas of responsibility in detail: (1) Private Water (Wells) and Private Sewage Systems, and (2) Licensing Public Establishments, Lead Point Program and Rabies Control/Humane. He also explained the Hazardous Materials and Environmental Program areas.

**Discuss Committee Duties and Responsibilities as Contained in the Code of Ordinances**

Mader reviewed the duties and responsibilities of the committee as detailed in the code.

**Motion to adjourn:** Kolb moved, second by Hammitt, to adjourn the meeting at 11:32 a.m. Motion carried 5 – 0.

Respectfully submitted,

Keith Harenda  
Secretary

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